

Court of Appeals, State of Michigan

ORDER

Promote the Vote v Secretary of State

Docket No. 353977

LC No. 20-000002-MZ

Patrick M. Meter
Presiding Judge

Amy Ronayne Krause

Michael F. Gadola
Judges

The Court orders that the motion for immediate consideration is GRANTED.

The motion of the House of Representatives and Senate to intervene as appellees in this appeal is also GRANTED. An appellees' brief on appeal from these parties is due by July 7, 2020.



Presiding Judge

Ronayne Krause, J., would deny the motion to intervene and states: Pursuant to *League of Women Voters of Michigan v Secretary of State*, ___ Mich App ___, ___; ___ NW2d ___ (2020) (Docket Nos 350938 & 351073), slip op at pp 6-9, the Legislature does not have standing to participate in this matter, and we are bound by that determination pursuant to MCR 7.215(J)(1). It is binding on this Court. Therefore, the Legislature has no right to intervene pursuant to MCR 2.209(A), and its ability to intervene by permission under MCR 2.209(B) is questionable. For the reasons further set forth in plaintiff's response to the motion to intervene and the cases plaintiff cites in that response (other than the request being untimely), I am unpersuaded that the circumstances would warrant permissive intervention under MCR 2.209(B) even presuming the Legislature has standing to participate as a party.

However, I would find it appropriate to accept an amicus brief, if the Legislature requested to file one for appropriate reasons, in this matter.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

July 07, 2020

Date



Chief Clerk